

VZCZCXYZ0003
RR RUEHWEB

DE RUEHTH #1849/01 1981232
ZNR UUUUU ZZH
R 171232Z JUL 06
FM AMEMBASSY ATHENS
TO RUEHC/SECSTATE WASHDC 6162
RUCPDOC/DEPT OF COMMERCE WASHDC

UNCLAS ATHENS 001849

SIPDIS

SIPDIS
SENSITIVE

E.O. 12958
TAGS: KIPR ECON ETRD GR

SUBJECT: ROLLING OUT IPR ACTION PLAN TO JUSTICE MINISTRY
AND PRIME MINISTER'S OFFICE

REF: ATHENS 01630

¶1. (SBU) Summary. Mission continues to present the USG's IPR Action Plan for Greece to GOG officials in the Ministry of Justice and in the Office of the Prime Minister. These discussions have yielded the following results:

-- the P.M.'s Economic Advisor agreed that resolving IPR-related issues would be an important priority for her over the coming year;

-- She also promised to touch base with Deputy Finance Minister Bezas -- a personal contact of her and in charge of the Special Tax Police -- to urge him to meet with Embassy staff;

-- the special advisor to the Justice Minister, a former BSA lawyer, agreed that it was essential to train incoming and serving judges on IPR issues. She was visibly upset that the Judicial Training Academy had not fulfilled its promise at the December 12, 2005 IPR conference to introduce such training;

-- She took the point that the USG wanted to see stiffer sentencing of IPR offenders, but counseled that approaching the fiercely independent Greek judiciary was something that had to be done with the utmost care. She promised to raise the issue with the Justice Minister and seek his counsel on how best to work this;

-- The Director of the Judicial Training Academy promised to move forward on a two-day IPR training course in the fall and asked for USG advice on who could provide the best and most effective training.

Meeting with Justice Ministry

¶2. (SBU) On June 28, 2006, Economic Counselor and Economic Specialist presented the 2006 IPR Action Plan for Greece to the Justice Minister's Advisor on IPR issues, Domna Kyrzopoulou. She stressed the Ministry's interest and high-level expertise in IPR, noting that she had previously served as a lawyer for BSA, and that Justice Minister Papaligouras had also worked on IPR cases as a lawyer before taking office. Reacting to the Plan, Kyrzopoulou expressed intense disappointment over the lack of an IP module in the standard training for judges despite relevant promises by the President of the National School of Judges and the official announcement of this initiative at the MFA's December 2005 IPR Conference. She underlined that she would continue to work with the National School to move forward with the course.

¶3. (SBU) Responding to the Action Plan's call for stricter prosecution of IPR crimes, Kyrzopoulou repeatedly stressed that the Ministry of Justice has little authority over the Judicial System, which is independent. The Ministry has sent circulars on IPR

issues to judges, but circulars have proven not to be effective. On the other hand, she found it encouraging that the Special Committee of Judges, which monitors the operation of courts throughout Greece, had decided to periodically dedicate one day of court hearings exclusively to IPR cases in the Attica Civil Court. She believed that, functionally speaking, this answered the USG's request to set up the Attika IPR court.

¶4. (SBU) Kyrzopoulou was concerned about the situation in the penal courts, where judges do not perceive IPR violations as serious crimes worthy of strict sentencing. She underlined that Greeks have a low consciousness of IPR, and that judges reflect this in their decisions. Raising public awareness would result in better judgments in court. She emphasized the fact that, whereas selling pirated CDs and DVDs is illegal, purchasing such merchandise is not, according to Greek law. In response to Economic Counselor's question whether it would make sense to approach the Special Committee of Judges to review the Action Plan and its call for strict sentencing, Kyrzopoulou stressed that such a step could easily backfire if not done carefully. Judges in Greece, she noted, are legally independent and guard this independence fiercely. Kyrzopoulou promised to raise the issue with Minister Papalygouras and get his input on how best to approach this issue.

Prime Minister's Office

¶5. (SBU) Economic Counselor reviewed the Action Plan

with P.M. Karamanlis' Economic Advisor, Eleni Louri-Dendrinou, on June 29 Louri-Dendrinou admitted she was not well informed on the status of Greek IPR protection, and therefore, appreciated being included in the Embassy's discussions on the topic. Responding to the Economic Counselor's information that the GOG employed a number of individuals, such as the Commerce Ministry's Polyzogopoulos, who were both expert in and dedicated to the protection of IPR, Louri-Dendrinou promised to contact Polyzogopoulos to learn more. She stressed her view that this issue should not come between the U.S. and Greece, and promised her assistance in resolving the problem. She promised, for instance, immediately to speak with Deputy Finance Minister Bezos, in charge of state revenues, about upgrading the anti-software piracy efforts of the Special Tax Police. Upon being informed of the upcoming visit of White House IPR advisors, Louri-Dendrinou offered to set up a meeting for the group with herself and Kryzopoulou. (Septel reports on these meetings.)

Hellenic Judicial Academy

¶6. (SBU) In a meeting with the Hellenic Judicial Academy General Director Takis Pikrammenos, Econoffs discussed the importance of raising awareness of IPR issues with both sitting judges, and judges in training. Pikrammenos was a very open interlocutor, and readily agreed to a suggestion for a two-day seminar on IPR for sitting judges in October of this year. He noted that there wasn't a course on IPR for judges in training, but that he would have to discuss the matter of creating one with his director for civil courts (the court where IPR matters are heard). He was not adverse to the idea of such a course, although he indicated that in his opinion, IPR cases were not that common, and young judges did not encounter them very often. Pikrammenos noted that the Academy was in recess for the summer, but that he would be in contact

with the Embassy in mid-September for input into the proposed seminar.

COMMENTS

17. (SBU) We believe both Kyrzopoulou and Louri-Dendrinou will help to resolve our IPR concerns. Kyrzopoulou's point about the well-known sensitivity of the Greek Judiciary to perceived slights to its independence is well taken. We will proceed to develop ways to raise this issue with the judiciary, in ways that are productive. Pikrammenos has likewise shown himself receptive to enhanced IPR efforts, and will be crucial in improving the education of judges (both sitting and in training) on the importance of IPR.

RIES